

## Article - Public Safety

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§12-814.3.

(a) If, after investigation, the Commissioner determines that an owner violated the Safety Code or a regulation adopted by the Commissioner under Part II of this subtitle, the Commissioner may assess and collect a civil penalty of up to \$5,000 for each elevator unit in violation of the Safety Code or regulations.

(b) In determining the amount of the penalty, the Commissioner shall consider:

- (1) the gravity of the violation;
- (2) the owner's good faith; and
- (3) the owner's history of violations under this subtitle.

(c) If, after investigation, the Commissioner determines that an owner willfully or repeatedly violated the Safety Code or a regulation adopted by the Commissioner under Part II of this subtitle, the Commissioner may assess and collect double the administrative penalties set forth in subsection (a) of this section.

(d) If, after the issuance of a final order affirming a violation of the Safety Code or a regulation adopted by the Commissioner under Part II of this subtitle, an owner fails to correct the violation within 10 days, the Commissioner may impose a civil penalty, not exceeding \$1,000 for each day a violation continues, against the owner.

(e) Each civil penalty shall be paid into the General Fund of the State.

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